

**Town of La Pointe Zoning
Town Plan Commission Special Meeting Minutes
Wednesday, December 30, 2009**

Town Plan Commission (TPC) Members Present: Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen, Greg Thury, Suellen Soucek, Ron Madich, Carey Baxter (7)

Town Plan Commission Members Absent: None

Public Present: Paul Brummer, Heidi Huber (2)

Town Staff Members Present: Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (2)

I. Call to Order/Roll Call

Chair, T. Pallas called the meeting to order at 4:30 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

L. Whalen thanks Chair Pallas for the work he does. General agreement.

III. Approval of Previous Meeting Minutes

None.

IV. Zoning Administrator's Report

J. Croonborg, ZA reports that the Town Board appointed Mike Starck the chair of the Board of Appeals at their last meeting.

V. Consideration and/or Action of Permit Applications:

None.

VI. Old Business

Zoning Ordinance Revision Project

Section 2.0 Definitions

- Add definition for Minor Structure (a structure that doesn't need a permit), adopting Bayfield's definition, to read "*Any small, moveable accessory erection or construction such as birdhouses, tool houses, pet houses, play equipment, arbors, and walls and fences under four (4) feet in height.*"
- - A. Add list of Minor Structures to 4.2.6 B, to read "*Minor Structures Allowed Without Land Use Permit includes but not limited to the following:*"
 - *Utility Towers and/or antennas less than thirty five feet (35')*
 - *Satellite Dishes*
 - *Solar Collectors*
 - *Kennel not to exceed one hundred and sixty (160) square feet*
 - *Birdhouses and Birdfeeders*
 - *Chicken Coops not to exceed one hundred and sixty (160) square feet*
 - *Tree Houses for children*
 - *Brick BBQ's*
 - *Playground Equipment*
 - *Residential Compost Containers*

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- *Hot Tubs*
 - *Fences*
 - *Stairs less than four (4) feet wide with no platform greater than forty (40) square feet and with no benches or tables*
 - *Ice fishing shacks*
 - *Small well house covers*
 - *Warming sheds for school children*
 - *Hunting blinds*
 - *Planters and flower boxes*
 - *Driveway pillars and gates*
 - *Tents*
 - *Tent pads not affixed to the ground*
 - *Travel trailers used for habitation and removed within six (6) months*
 - *Travel trailers stored and not used for habitation on the site*
 - *Signs less than four (4) square feet*
 - *Picnic tables*
 - *LP storage tanks and fuel oil tanks used for heating*
 - *Garbage and refuse bins*
- Change title of (32) NONCONFORMING LOTS to read (32) NONCONFORMING LOTS OF RECORD
 - In (32) NONCONFORMING LOTS, change “*A parcel of land created prior to the effective date*” to read “*A parcel of land legally created and recorded at the Ashland County Register of Deeds Office prior to the effective date of this Ordinance.*”
 - In (33) NONCONFORMING STRUCTURE, delete “*Refer to Section 4.2.6 of this Ordinance,*” as that reference is no longer accurate.
 - In (34) NONCONFORMING USE, change “*Land existing at the time of enactment of this Ordinance*” to read “*Land Use existing at the time of enactment or amendment of this Ordinance.*”
 - Add definition for Parking Lot, adopting Bayfield’s definition, to read “*A structure or premises containing five or more parking spaces open to the public.*”
 - In (35) PARKING SPACE, replace “*one hundred and eighty (180) square feet*” with “*one hundred and sixty two (162) square feet*” as the current figures do not add up (currently, it reads “*a parking space...shall not less than nine (9) feet wide, not less than eighteen feet long, not less than one hundred and eighty (180) square feet in area*”).
 - Change definition of (37) PROJECT BEGINNING “*Project begins at significant soil disturbance including but not limited to stumping, filling, grading, etc*” to read “*Project begins at land disturbing activity.*”
 - Change definition of (39) RENTAL, LONG TERM “*Month to month or monthly lease*” to read “*No less than month to month or monthly lease.*”

- Change definition of (41) ROAD/DRIVEWAY EXTENSION *that portion of road/driveway beyond the right of way* to read *“That portion of road/driveway beyond the right of way to provide ingress and egress.”*
- In (42) ROAD RIGHT-OF-WAY, change *“A publicly owned parcel of land reserved for the construction and maintenance of a roadway and its appurtenances”* to read *“A strip of land reserved for the construction and maintenance of a public roadway and its appurtenances.”*
- Add definition for Zoning Administrator, adopting definition from the Pleasant Prairie, WI Ordinance, to read *“The Town Zoning Administrator or an individual duly authorized to perform the duties and functions of the Town Zoning Administrator.”*

Section 3.0 Zoning Districts

Throughout section, replace “Note 1” with an “*” and “Note 2” with “**.”

In 3.1, change “(9) C-1 Commercial” to read “(9) C-1 Commercial/Town Center.”

- Add the following districts:
*“(13) Government and Institutional
(14) Non-Metallic Mining
(15) Public Resource Land
(16) Conservancy District
(17) Town Park
(18) Marina”*
Also add pages for these 6 new districts with Permitted and Conditional Uses sections. The TPC will determine the content at a later meeting.
- In 3.1.1 A, W-P Wetland Protection District Permitted Uses, delete “None” and replace with “Road Access.”
- In 3.1.1 B, W-P Wetland Protection District Conditional Uses, delete “Road Access.”
- In 3.1.2, W-1 Wilderness Preservation District, change *“These districts provide”* to read *“This district provides.”*
- In 3.1.2 A numbers 4 and 5, W-1 Wilderness Preservation District Permitted Uses, change *“Dwelling, Guest House”* to read *“Dwelling, Accessory.”*
- In 3.1.2 A, W-1 Wilderness Preservation District Permitted Uses, add *“13. Land Disturbing Activity.”*
- In 3.1.2 B, W-1 Wilderness Preservation District Conditional Uses, change *“12. Quarrying and/or Mining”* to read *“Non-Metallic Mining.”*
- In 3.1.3 W-2 Wilderness Preservation District, change *“These districts provide”* to read *“This district provides.”*
- In 3.1.3 W-2 Wilderness Preservation District, add *“and is intended to accommodate small-scale enterprises compatible with the general character of the area”* after the word “development in the following sentence: *“It provides for a very low density of development, depending upon location relative to existing facilities and services to provide a continuation of the wilderness character and a sense of isolation.”*

- In 3.1.3 A numbers 5 and 6, W-2 Wilderness Preservation District Permitted Uses, change “*Dwelling, Guest House*” to read “*Dwelling, Accessory.*”
- In 3.1.3 A, W-2 Wilderness Preservation District Permitted Uses, add “*14. Land Disturbing Activity.*”
- In 3.1.3 B, W-2 Wilderness Preservation District Conditional Uses, change “*12. Quarrying and/or Mining*” to read “*Non-Metallic Mining.*”
- In 3.1.4 R-1 Residential, Single-Family, Low Density, change “...*the low-density character of the Island*” to read “...*the low-density and historic character of the Island.*”
- In 3.1.4 A numbers 5 and 6, R-1 Residential, Single-Family, Low Density Permitted Uses, change “*Dwelling, Guest House*” to read “*Dwelling, Accessory.*”
- In 3.1.4 A, R-1 Residential, Single-Family, Low Density Permitted Uses, add “*13. Land Disturbing Activity.*”
- In 3.1.4 B, R-1 Residential, Single-Family, Low Density Conditional Uses, delete “*3. Dwelling, Double Family (See Note 1)*” and “*4. Dwelling, Double Family Rental of.*”
- In 3.1.4 B numbers 5 and 6, R-1 Residential, Single-Family, Low Density Conditional Uses, change “*Dwelling, Multiple (3 or more)*” to read “*Dwelling, Multiple (maximum of 4).*”
- In 3.1.4 R-1 Residential, Single-Family, Low Density, Note 1, change “*Required lot size for Double and Multiple Family Dwellings*” to read “*Required lot size for a Multiple Family Dwelling.*”
- In 3.1.5 R-2 Residential, Single-Family, Medium Density, add “*to preserve for the most part the current density and historic character of the district*” to the end of the first sentence.
- In 3.1.5 A R-2 Residential, Single-Family, Medium Density Permitted Uses, change “*7. Dwelling, Multiple (3 or more)*” to read “*7. Dwelling, Multiple (maximum of 4).*”
- In 3.1.5 A R-2 Residential, Single-Family, Medium Density Permitted Uses, add “*11. Land Disturbing Activity, 12. Home Office, 13. Home Occupation.*”
- In 3.1.6 A R-3 Residential, Multi-Family Permitted Uses, delete “*6. Dwelling, Double Family, (1 only) (See Note 1).*”
- In 3.1.6 A R-3 Residential, Multi-Family Permitted Uses, change “*7. Dwelling, Multiple (3 or more)*” to read “*7. Dwelling, Multiple (maximum of 4).*”
- In 3.1.6 A R-3 Residential, Multi-Family Permitted Uses, add “*11. Home Office, 12. Home Occupation, 13. Land Disturbing Activity.*”
- In 3.1.6 B R-3 Residential, Multi-Family Conditional Uses, change “*2. Dwelling, Multiple (3 or more)*” to read “*2. Dwelling, Multiple (maximum of 4).*”

- In 3.1.6 R-3 Residential, Multi-Family, Note 1, *Required lot size for Double and Multiple Family Dwellings and Planned Unit Developments* to read *“Required lot size for Multiple Family Dwellings and Planned Unit Developments.”*
- In 3.1.7 A S-1 Shoreland Protection District Permitted Uses, delete *“5. Dwelling, Double Family, Rental of Existing (See Note 1).”*
- In 3.1.7 A S-1 Shoreland Protection District Permitted Uses, add *“13. Land Disturbing Activity.”*
- In 3.1.7 B S-1 Shoreland Protection District Conditional Uses, delete *“3. Dwelling, Multiple (maximum of 3) Family”* and also delete *“14. Quarrying and/or Mining.”*
- In 3.1.7 S-1 Shoreland Protection District Note 1, delete *“Double and Multiple Family Dwellings and”* from first sentence.
- In 3.1.8 A S-2 Shoreland Protection District Permitted Uses, add *“9. Land Disturbing Activity.”*
- In 3.1.9 C-1 Commercial District, add *“/Town Center”* to title.
- In 3.1.9 C-1 Commercial District, delete *“This district is intended to provide for the orderly grouping of retail stores, services, and businesses”* *“This district is intended to be a development cluster with a range of uses and activities commonly found in a small urban area. Typical uses include small retail stores of various kinds, restaurants, and offices and businesses of various types.”*
- In 3.1.9 A C-1 Commercial District Permitted Uses, delete *“8. Dwelling, Double Family (See Note 1)”* and *“9. Dwelling, Double Family Rental of Existing.”*
- In 3.1.9 A C-1 Commercial District Permitted Uses, change *“3. Dwelling, Multiple (maximum of 3) Family”* to read *“3. Dwelling, Multiple (maximum of 4) Family.”*
- In 3.1.9 A C-1 Commercial District Permitted Uses, change *“4. Dwelling, Multiple (maximum of 3) Family Rental of Existing”* to read *“4. Dwelling, Multiple (maximum of 4) Family Rental.”*
- In 3.1.9 C-1 Commercial District, Note 1, change *“Required lot size for a Shoreline Lot, Double and Multiple Family Dwellings and Planned Unit Developments shall be the number of residential units times the Minimum Required Lot Area and Minimum lot width shall be the number...”* to read *“Required lot size for a Multiple Family Dwelling and Planned Unit Developments shall be the number of residential units times the Minimum Required Lot Area. Minimum lot width shall be the number....”*
- In 3.1.10 A S-O Shoreland Overlay District Permitted Uses, delete *“3. Dwelling, Single Family Rental of.”*
- In 3.1.10 B S-O Shoreland Overlay District Conditional Uses, delete *“2. Public Service Utility”* and *“3. Public Utility.”*
- In 3.1.11 A F-O Flood Hazard Overlay District Permitted Uses, delete *“3. Dwelling, Single Family Rental of.”*

- In 3.1.11 A F-O Flood Hazard Overlay District Permitted Uses, change “4. Dwelling, Guest House” to read “4. Dwelling, Accessory.”
- In 3.1.11 B F-O Flood Hazard Overlay District Conditional Uses, delete “1. Public Service Utility.”
- In 3.1.12 LZ Light Industrial Zone, delete “That the LZ District will contain the land "Commencing at a quarter corner common to Sections 20 and 29; thence along a line common to said Sections 20 and 29 S89° 37'01"E 1335.45 feet to the POINT OF BEGINNING; thence N00° 39'21"E 450.23 feet to an iron rod located on the Southerly right-of-way line County Hwy. "H"; thence along said Southerly right-of-way line N64° 55'00"E 2011.97 feet; thence S89° 03'30"E 63.81 feet; thence S00° 40'30" W 93.91 feet; thence S43° 14'49" W 2772.21 feet; thence N00° 39'21"E 811.16 feet to the POINT OF BEGINNING; containing 1,299,510 square feet, which is 29.83 acres, and is subject to any easements of record.”
- In 3.1.12 LZ Light Industrial Zone, change “This district is intended to provide for the orderly grouping of Commercial and Light Industrial businesses on Town-owned property which are generally listed as Conditional Uses in the C-1 (Commercial) Zoning District” to read “This district is intended to accommodate a wide array of uses including manufacturing, warehousing, and airport facilities, and the like. All Permitted and Conditional Uses must conform to the requirements of the Asbland County Shoreland Amendatory Ordinance and the Asbland County Floodplain Zoning Ordinance.”
- In 3.1.12 A LZ Light Industrial Zone Permitted Uses, add the following items:
 “13. Wastewater Treatment Plant
 14. Fuel Storage Facility
 15. Land Disturbing Activity
 16. Building, Municipal
 17. Road/Driveway Access
 18. Business Professional Office.”
- In 3.1.12 B LZ Light Industrial Zone Conditional Uses, delete “1. Fuel Storage Facility” and replace with “None.”

VII. New Business

None.

VIII. Future Agenda Items

IX. Schedule of Next Meeting

Next TPC Regular Monthly Meeting to be held on Wednesday, January 6, 2010 at 5 pm.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 7 aye. Motion Carries.
 Meeting ends 6:45 PM.

Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch, ZCA, Saturday January 2, 2010.

Town Plan Commission Minutes approved as amended by Margaretta Kusch; ZCA on Wednesday, January 06, 2010.

